



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 14-39
Released: January 14, 2014

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF UNION SPRINGS TELEPHONE COMPANY AND ROPIR COMMUNICATIONS, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-320

Comments Due: January 28, 2014
Reply Comments Due: February 4, 2014

On December 30, 2013, Union Springs Telephone Company (USTC), and Ropir Communications, Inc. (RCI), and Robert E. L. Gilpin, as Personal Representative of the Estate of Billie K. Pirnie (Mr. Gilpin), (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of USTC and RCI to Mr. Gilpin. Applicants consummated the transaction without prior authorization from, or timely notification to, the Commission.

USTC, an Alabama corporation, provides incumbent local exchange carrier (incumbent LEC) services in portions of Bullock, Macon, Barbour, and Pike Counties, Alabama. USTC is a wholly owned subsidiary of Ropir Industries, Inc. (Ropir Industries), a Delaware corporation. RCI (originally named Call Points, Inc.), a Delaware corporation, resells long distance services. RCI provides interstate and interexchange telecommunications services in and around the area served by USTC. RCI is controlled by Ropir Industries. Ropir Industries and its subsidiaries, USTC and RCI (collectively the Ropir Companies), are currently controlled by Mr. Gilpin in his capacity as the Personal Representative of the Estate of Billie K. Pirnie.² Mr. Gilpin, a United States citizen, does not have a controlling interest in any other telecommunications service provider.

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants also filed applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. On January 9, 2014, the Wireline Competition Bureau granted Applicants' request for Special Temporary Authority for a period of 60 days for authorization to continue to provide service pending approval of this application. A grant of the application will be without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules. Letter from David L. Nace, Counsel, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-320 (filed Jan. 8, 2014). Applicants filed a supplement to their application on January 13, 2014.

² Mrs. Pirnie served as the President and the sole member of the Board of Directors of each of the Ropir Companies. In doing so, she exercised a level of control that the Applicants state amounted to *de facto* control of the Ropir Companies. By October 7, 2003, Mrs. Pirnie owned or controlled all of the then issued and outstanding stock of Ropir Industries. On that date, for estate planning purposes, she directed the transfer of all the issued and outstanding stock of Ropir Industries to the Billie K. Pirnie Revocable Living Trust (Mrs. Pirnie Trust), which her attorney, Mr. Gilpin, was named the successor trustee. Mrs. Pirnie died on October 22, 2011. Mr. Gilpin became the

Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

Domestic Section 214 Application Filed for the Transfer of Control of Union Springs Telephone Company and Ropir Communications, Inc., WC Docket No. 13-320 (filed Dec. 30, 2013).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before January 28, 2014**, and reply comments **on or before February 4, 2014**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Myrva.Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made,

Personal Representative of the Estate of Billie K. Pirnie and, in that role, Mr. Gilpin obtained control of USTC and RCI.

³ 47 C.F.R. § 63.03(b)(1)(ii).

and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Myrva Charles at (202) 418-1506 or Dennis Johnson at (202) 418-0809.

- FCC -